

1909-034 Chancery Causes: Pete Ekcles vs. Lizzie Ekcles
Lee Co.

Denny

CA-Divorce

To the Honorable, H. A. W. Skeen, Judge for the circuit
Court of Lee co., Virginia.

Humbly complying your complainant, Pete Ekoles
would respectfully represent and shew unto your honor, that
on theday of 18..... he was married to one
Lizzie Ekoles, and from that day lived together as hus-
band and wife, until day and 18..... when
the said defendant, Lizzie Ekoles, willfully deserted and
and abandoned her said husband, without a cause.

Your complainant alleges that he is a resident of
Lee County Virginia, and has been for more than 12 months be-
fore the institution of this suit, and that the charges of
desertion against the defendant have continued for more than
3 years. That the said defendant is a non-resident of the
state of Virginia.

The prays of your complainant is, that the said
Lizzie Ekoles, be made a party defendant to this bill and
answer same, but not by oath, that being waved.

That order of publication be posted, and published
according to law against said defendant, that upon hearing
your complainant be divorced avincule matrimonii, and your
complainant prays for all other and further relief. Gen-
erally seen meet, and he will ever pray & etc.

Ed. W. Woodward N. P. Q.

Costs

Clark \$4.90

Atty 15.00

Comm 1.75

Printer 5.40

26.05

Tax 1.50

\$27.55

Pete Echles Dep.

W. S. { Bill Lohmeyer

Lizzie Echles Dep.

1909, 1st August Rules
Bill filed & costs
for O.P.

" 2nd Aug. Rules
O.P. completed &
cause set for
hearing.

Pete Ekcles, _____ Plaintiff.

Decree.

vs.

Lizzie Ekcles, _____ Defendant.

This cause came on , this day to be heard upon the bill of complainant, order of publication duly posted and published, the deposition of witnesses for the plaintiff, and was argued by the Counsel.

On consideration of which, the court being of the opinion that the plaintiff has proven the allegations of his bill, it is adjudged, ordered and decreed that the marriage heretofore contracted between the plaintiff and defendant be dissolved , and that the plaintiff, Pete Ekcles, be forever divorced from his wife, the defendant, Lizzie Ekcles, avanculo matrimonii, and that the plaintiff pay the cost of this suit, to be taxed by the clerk, and nothing remaining to be done, this cause is stricken from the docket.

Pete Echeles.

vs. {{ Sueren.

Lizzie Echeles.

Entered in C.O.B.

8, page 495.

Enter This

Hawslum

Sept. 7 - 1909 -

The deposition of M. D. Denny, taken before me, G. P. Cridlin Commissioner in Chancery, for the Circuit Court of Lee County Virginia, at the law office of M. G. Ely, in the town of Jonesville Virginia, on the 6th day of September 1909, and to be read as evidence on behalf of the plaintiff in a certain suit in equity pending in the Circuit Court of Lee County Virginia. Where in Pete Ekoles, is plaintiff and Lizzie Ekoles is defendant. Pursuant to the order of publication.

Perssent M. G. Ely, attorney for plaintiff.

M. D. Denny a witness of lawful age, being duly sworn deposes and says:-

-Q-1- State your age, residence and occupation?

A- I am 31 years old; residence, Kooke, Virginia; occupation, Chief Police and deputy sheriff of Lee County Virginia.

Q2- Please state whether or not you are acquainted with the parties to this suit?

A- I am acquainted with the plaintiff, and have been for more than 12 months, and have been individually acquainted with him since he has lived in Kooke, Virginia, in Lee County, but I never knew the defendant, she has never lived in Virginia to my knowledge.

Q3- State if you know how long the plaintiff and defendant have been separated?

A- I do not know personally how long the separation has continued, but I have positive information from those who do know and they tell me that she left him more than 5 years ago, and she has writtens a letter stating to a party at Kooke that she never intended to live with the plaintiff any more. From what I know of the plaintiff, her leaving him and refusing to live with him was not caused by any fault of his, as I know him to be an honest hard working law abiding citizen. And further this deponent sayeth not

M. D. Denny

Pete Ekcles, being duly sworn, deposes and says:

Another witness, Pete Ekcles being duly sworn, deposes and says:-

Q-1_ State your age, residence and occupation and whether or not you are plaintiff in this suit?

A- I am 34 years old, and reside at Kooke, Virginia, and am a ~~poor~~ ^{coal} miner, and am the plaintiff in this suit and reside in Lee County Virginia.

Q-2- Please state how long it has been since your wife, Lizzie Ekcles, deserted and abandoned you and refused to live with you?

A- It has been over 6 years, she left me against my consent. And further this deponent sayeth not.

Peter Ekcles

Virginia Lee County, to-wit:-

I, ~~George~~ ^{George} Cridlan, a commissioner in chancery, for the Circuit Court of Lee County Virginia; do certify that the foregoing depositions of Pete Ekcles, and M. D. Denny were duly taken and sworn to before me at the time and place, and for the purposes of the caption mentioned.

Given under my hand, this the 6th day of September, 1909.

Geo. Cridlan

Commissioner in chancery for Lee County Virginia.

Pete Eckels

vs
Lizzie Eckels

Filed Sept. 6 1909

H. C. D. Ewing Clerk

Cover fee 75¢

The Commonwealth of Virginia,

To the Sheriff of the County of Lee, Greeting:

WE COMMAND YOU, That you summon

Lizzie Ekels

to appear at the Clerk's office of the Circuit Court of the County of Lee, at rules to be held for the said court, on
the *1st* Monday in *August*, 190*7*, to answer a bill in chancery exhibited against *her*

in our said Court by Pete Ekels

And have then there this writ. Witness, H. C. T. EWING, Clerk of our said Court, at the court-house, the *29th*
day of *June*, 190*7*, and 1*53^d* year of the Commonwealth.

A Copy, Teste:

H. C. T. Ewing, Clerk

_____, Clerk

Pete Ekoles

VS

SUBPENA
IN
CHANCERY

Lizzie Ekoles

E. J. Woodward p. q.

To

10th August

Rules

Lee Circuit

Court

1919

In the Clerk's Office of the Circuit Court of the County of Lee,
June 29, 1909.

Pete Ekels,

Plaintiff

against

Lizzie Ekels,

Defendant

This day

W. G. L. L. L.
H. B. L. L. L.

personally appeared

before me

Clerk of the said Court,

and being duly sworn, made oath that

Lizzie Ekels,

defendant in the said suit ^{is} not resident of the State of Virginia,

Given under my hand as Clerk of the said Court, this 29th day of June, 1909.

H. B. L. L. L. Clerk

Pete Ekels

VS } AFFIDAVIT FOR ORDER
OF
PUBLICATION

Lizzie Ekels

E. J. Woodward, p. q.

Filed June 29, 1909.

H. C. Ewing
Clerk.

Pete Ekels

vs.

ORDER OF
PUBLICATION

Lizzie Ekels.

Virginia, Lee County, to-wit:
S. H. Ewing, Clerk of
The County aforesaid,
in the State of Va., do
certify that I posted a
true copy of the within
in order of publica-
tion at the front door
of the Court-house of
said County on this
day.

Given under my hand
This June 29th 1909.
S. H. Ewing,
Clerk

Order of Publication.

In the Clerk's Office of the Circuit Court
of the county of Lee, on the 29th
day of June, 1909.

PETE EKLES, Plaintiff,
against

LIZZIE EKLES, Defendant.
In chancery.

The object of this suit is to obtain a
divorce a vinculo matrimonii. And an
affidavit having been made and filed that
the defendant, Lizzie Ekles, is not a
resident of the State of Virginia, it is
ordered that she do appear here within
fifteen days after due publication here-
of, and do what may be necessary to
protect her interest in this suit. And it
is further ordered that a copy hereof be
published once a week for four weeks
in the Jonesville Star and that a copy be
posted at the front door of the Court-
house of this county as prescribed by
law.

A copy—Teste:

H. C. T. EWING, Clerk.

By M. E. FLANARY, D. C.

ELY & WOODWARD, p. q.

vs

Lizzie Ekles

I, Geo. P. Cridlin, editor

of The Jonesville Star, a weekly newspaper
published in the county of Lee, state of Virginia,
do hereby certify that the enclosed notice was
published in said paper once a week for four
successive weeks, commencing on the 1st
day of July 1909.

Geo. P. Cridlin, Editor.

FEE \$ 5.40